



**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : **McKirchy**, Karen A.  
SERIAL NO : 10/075,730  
FILED : February 14, 2002  
TITLE : METHOD AND APPARATUS FOR PROVIDING INSTRUCTIONAL  
HELP AT MULTIPLE LEVELS OF SOPHISTICATION IN A  
LEARNING APPLICATION

Grp./A.U. : 2173  
Examiner : Vu, Kieu D.  
Conf. No. : 2691  
Docket No. : P02293US02

**SECOND SUPPLEMENTAL DECLARATION OF PRIOR INVENTION IN THE  
UNITED STATES OR IN A NAFTA OR WTO MEMBER COUNTRY TO OVERCOME  
CITED PATENT OR PUBLICATION  
(37 CFR 1.131)**

I, Karen A. McKirchy, declare:

**A. PURPOSE OF DECLARATION**

1. This is presented to supplement my earlier Declaration and Supplemental Declaration of record.
2. Enclosed are the following additional Exhibits:  
  
Exhibit L -- CD ROM with copy of content of CD ROM of March 7, 1995 of  
  
Exhibit E.  
  
Exhibit M -- CD ROM with copy of content of CD ROM of April 22, 1995 of  
  
Exhibit E.

**B.     FACTS**

3.     CD ROMs, Exhibits L and M, were in existence and operable as experimental prototypes at least as early as spring of 1995.
4.     I created the instructional text files on these CD ROMs as continued development of the functional concepts outlined in the algorithm entitled "Information Model Topic Module" at Exhibit B of my prior Declarations of record.
5.     The CD ROMs of Exhibits L and M practice both the information model of Exhibit B and pending claim 1 in my patent application.
6.     The CD ROMs of Exhibits L and M, like much conventional software development, represents the actual programming of the outline or flow chart of the information model of Exhibit B. The specific implementation of that algorithm into software programming or coding is contained on the CD ROMs of Exhibits L and M.
7.     Exhibits H-K are printouts of screen displays generated with the interactive software of the CD ROMs of exhibits L and M.

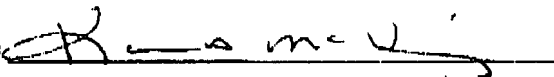
**C.     DECLARATION**

8.     I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**SIGNATURE**

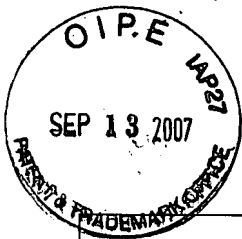
**Inventor**

Full name of first inventor Karen A. McKirchy

Inventor's Signature 

Date 09/12/2007

Enclosures to Declaration:  
Exhibits L and M (2 CD ROMs)



## Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.